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3-27-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sorrells *et al.*

Appl. No. 09/550,642

Filed: April 14, 2000

For: **Method and System for Down-
Converting an Electromagnetic
Signal, and Transforms for
Same**

Confirmation No. 9236

Art Unit: 2634

Examiner: Odom, Curtis B.

Atty. Docket: 1744.0920001

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Second Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Supplemental Information Disclosure Statement filed on December 18, 2002 in connection with the above-captioned application.

In addition to providing hard copies of the documents as required by applicable rules, Applicants herewith provide a Compact Disc labeled "Disc 3" having stored thereon searchable electronic copies (in PDF format) of many of the documents listed on the PTO-1449. More specifically, the CD contains electronic copies of documents AF50-AI50, AA51-AI51, AA52-AI52, AA53-AI53, AA54-AG54, AK22, AL22, AM22, AJ23, AK23, AR57 and AN58-AR58. In addition, the CD contains electronic copies of documents AC46-AI46, AA47-AI47, AA48-AI48, AA49, AE49-AI49, AA50-AE50, AM13, AJ14-AM14, AJ15-AM15, AJ16-AM16, AJ17-AM17, AJ18-AM18, AJ19-AM19, AJ20-AM20,

AJ21-AM21, AJ22, AQ51, AR51, AN52-AR52, AN53-AR53, AN54-AR54, AN55-AR55, AN56-AR56 and AN57-AQ57, all of which were cited in previous Information Disclosure Statements. Documents AH54, AI54, AA55-AI55, AA56-AC56 and AN59 have not yet been scanned. The file names on the CD correspond to the identifiers on the PTO-1449s. It is noted that the CD is being provided in addition to hard copies of the documents (as required by applicable rules) for the convenience of the Examiner.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Applicants provide the following comments regarding the documents:

Documents AF50-AH50, AA51, AC51 and AF51 were cited in an Office Action in related U.S. Patent Appl. No. 09/476,330, filed January 3, 2000, entitled, "Multi-Mode, Multi-Band Communication System," directed to related subject matter.

Document AI50 was cited in an Office Action in related U.S. Patent Appl. No. 09/567,963, filed May 10, 2000, entitled, "Frequency Synthesizer Using Universal Frequency Translation Technology," directed to related subject matter.

Documents AB51, AD51 and AE51 were cited in an Office Action in related U.S. Patent Appl. No. 09/526,041, filed March 14, 2000, entitled, "DC Offset, Re-radiation, and

I/Q Solutions Using Universal Frequency Translation Technology," directed to related subject matter.

Document AH51 was cited in an Office Action in related U.S. Patent Application Serial No. 09/476,092, filed January 3, 2000, entitled "Analog Zero IF FM Decoder and Embodiments Thereof, Such as the Family Radio Service," directed to related subject matter. Also cited in the Office Action were U.S. Patent Nos. 5,600,680 and 5,606,731, which have already been cited in the present application in the Supplemental Information Disclosure Statement, filed December 18, 2002.

Documents AI51, AA52, AF52, AH54 and AG55 are co-owned patents which are directed to related subject matter.

Documents AB52, AC56, AN58-AP58 and AN59 were cited in Office Actions in related U.S. Patent Appl. No. 09/567,977, filed May 10, 2000, entitled, "Optical Down-converter Using Universal Frequency Translation Technology," directed to related subject matter.

Documents AE52 and AJ23 were cited in an Invitation to Pay Additional Fees in related PCT Appl. No. PCT/US01/43077, filed November 14, 2001, entitled "Method and Apparatus for a Parallel Correlator and Applications Thereof," directed to related subject matter.

Documents AG52-AI52 and AA53 were cited in an Office Action in related U.S. Patent Application No. 09/986,764, filed November 9, 2001, entitled "Method and Apparatus for Reducing DC Offsets in a Communication System," directed to related subject matter.

Documents AB53-AE53 were cited in an International Search Report in related PCT Application No. PCT/US02/35861, filed November 8, 2002, entitled "Method and

Apparatus for Reducing DC Offsets in a Communication System," directed to related subject matter.

Documents AF53-AI53 and AA54-AC54 were cited in an Office Action in related U.S. Patent Application No. 09/476,093, filed January 3, 2000, entitled "Family Radio System with Multi-Mode and Multi-Band Functionality," directed to related subject matter.

Documents AD54-AG54 were cited in an International Search Report in related PCT Application No. PCT/US03/16403, filed May 27, 2003, entitled "Method and Apparatus for DC Offset Removal in a Radio Frequency Communication Channel," directed to related subject matter.

Documents AI54 and AA55-AD55 were cited in an Office Action in related U.S. Patent Application No. 09/548,923, filed April 13, 2000, entitled "Method and System for Frequency Conversion with Modulation Embodiments," directed to related subject matter. Also cited in the Office Action were U.S. Patent Nos. 6,091,940 and 6,353,735, which have already been cited in the present application in the Information Disclosure Statement, filed July 16, 2002.

Documents AE55 and AF55 were cited in an Office Action in related U.S. Patent Application No. 09/543,867, filed April 5, 2000, entitled "Automated Meter Reader Applications of Universal Frequency Translation," directed to related subject matter.

Documents AH55 and AI55 were cited in an Office Action in related U.S. Patent Application No. 10/317,181, filed December 12, 2002, entitled "Differential Frequency Down-Conversion Using Techniques of Universal Frequency Translation Technology," directed to related subject matter.

Documents AA56 and AB56 were cited in an Office Action in related U.S. Patent Application No. 10/317,165, filed December 12, 2002, entitled "Method and Apparatus for

Reducing DC Offsets in Communication Systems Using Universal Frequency Translation Technology," directed to related subject matter.

Documents AK22-AM22, AA52, AB52 and AQ58 were cited in an International Search Report in related PCT Appl. No. PCT/US01/15555, filed May 16, 2001, entitled, "Apparatus, System, and Method for Down-Converting and Up-Converting Electromagnetic Signals," directed to related subject matter. Also cited the International Search Report were U.S. Patent Nos. 4,888,557, 5,454,007, 5,640,698 and 5,705,949, and PCT Publication No. WO 96/02977, which have already been cited in the present application in the Information Disclosure Statement, filed July 16, 2002.

Document AK23 was cited in an Office Action in related Japanese Patent Application No. 2000-577,764, filed June 21, 2000, entitled "Applications of Frequency Translation," directed to related subject matter.

The other documents in the PTO-1449 do not fall within the above categories.

This statement should not be construed as a representation that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office

Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
 - c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).
- 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
 - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to

the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

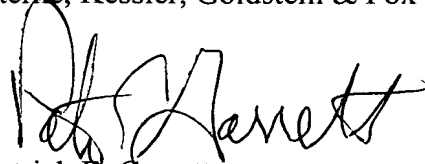
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☒ 6. A concise explanation of the relevance of non-English language document AK23 appears below:
- Document AK23 (JP 9-36664) appears to describe a frequency conversion circuit. A copy of the English-language abstract of document AK23 is enclosed as document AR58.
- ☐ 7. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

Sterne, Kessler, Goldstein & Fox p.l.l.c.

A handwritten signature in black ink, appearing to read "P. E. Garrett", written over the printed name.

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